

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Hilda M. Garcia Concepcion*
HILDA M. GARCIA CONCEPCION
Assistant United States Attorney
Southern District of Texas No.3399716
Puerto Rico Bar No. 15494
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McAllen, TX 78501
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Facsimile: (956) 618-8016
E-mail: Hilda.Garcia.Concepcion@usdoj.gov

SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved March 23, 2018, as Public Law 115-141, div. F, tit. II, 132 Stat. 348, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tract: RGV-WSL-4002

Owner: Fortco Properties, Ltd., *et al.*

Acres: 44.697

As identified in the General Warranty Deed, Document #: 2018-2895970, recorded on March 12, 2018 in the deed records of Hidalgo County:

Being a 44.697 acre tract (1,947,015 sq. ft.) of land located in the Agostadero Del Gato Grant, Hidalgo County, Texas; being out of a tract of land described in deed from Marcus Forthuber, et al to Fortco Properties, Ltd., recorded in Document Number 2018-2895970 of the Hidalgo County Official Records (H.C.O.R.), executed March 08, 2018, also being out of Lot 4, Block 3 of the Singleterry Subdivision, recorded in Volume 11, Page 49 of the Hidalgo County Map Records (H.C.M.R.) and Share 5, Block 4, of the Map of Munoz Partition, recorded in Volume 12 Page 9 H.C.M.R (Hidalgo County Appraisal District Property ID Nos. 860611, 860612, 244527, 284530, 244535, 244536, 284532, 244537, 307736, 518795 and 121382); said 44.697 acre tract being more particularly described by metes and bounds as follows:

Commencing at a found 3/8-inch iron rod on the south line of U.S. 281 (100' ROW Easement), recorded in Volume 652, Page 92, Volume 652, Page 97 and Volume 656, Page 219 of the Hidalgo County Deed Records (H.C.D.R.), the west line of Lot 5 of the Map of Proposed Partition Share Number One of Webber Partition, recorded in Volume 1091, Page 58 H.C.D.R. and the east line of Share 4, Block 4 of said Map of Munoz Partition, having coordinates of N=16,554,764.21, E=1,119,113.24;

Thence: South 08°40'59" West, along the west line of said Map of Proposed Partition Share Number One of Webber Partition and the east line of said Map of Munoz Partition, a distance of 2,841.81 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-1", set, for the **Point of Beginning** and the northeast corner of the herein described tract, having coordinates of N=16,551,954.97, E=1,118,684.22, from which a found International Boundary Commission (IBC) disk in concrete bears North 04°50'51" East, 9.02 feet;

Thence: South 08°40'59" West, continuing along the west line of said Map of Proposed Partition Share Number One of Webber Partition and the east line of said Map of Munoz Partition, a distance of 266.48 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-2", set, for the southeast corner of herein described tract, from which a found IBC disk in concrete bears South 08°40'59" West, 13.46 feet;

Thence: South 84°20'01" West, departing the west line of said Map of Proposed Partition Share Number One of Webber Partition and the east line of said Map of Munoz Partition, a distance of 4,958.15 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-3", set, for an angle point on the south line of herein described tract;

Thence: North 24°51'12" West, a distance of 108.04 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-4", set, for an angle point on the south line of herein described tract;

Thence: North 59°14'45" West, a distance of 768.17 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-5", set, for an angle point on the south line of herein described tract;

Thence: North 75°33'51" West, a distance of 1,226.85 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-6", set, for an angle point on the south line of herein described tract;

Thence: North 85°47'06" West, a distance of 500.46 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-7", set, for an angle point on the south line of herein described tract;

Thence: South 46°29'34" West, a distance of 176.29 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4000-32=4002-8", set, for the southwest corner of herein described tract, being on the east line of a tract of land described in deeds to Frank Schuster Farms, Inc., recorded in Volume 1424, Page 279, Volume 1424, Page 284 and Volume 1424, Page 289 of the Hidalgo County Deed Records (H.C.D.R.), executed October 01, 1974, Document Number 1979-254 H.C.D.R., executed January 03, 1979 and Document Number 1994-372158 H.C.D.R., executed February 11, 1994, the east line of Lot 2, Block 6, Section III of the Alamo Tract of the Alamo Land and Sugar Company, recorded in Volume 1 Page 24 H.C.M.R and the west line of said Fortco Properties, Ltd. tract;

Thence: North 08°39'31" East, along the east line of said Lot 2, the east line of said Frank Schuster Farms, Inc. tract and the west line of said Fortco Properties, Ltd. tract, a distance of 386.22 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4000-31=4002-9", set, for the northwest corner of herein described tract;

Thence: South 32°58'28" East, departing the east line of said Lot 2, the east line of said Frank Schuster Farms, Inc. tract and the west line of said Fortco Properties, Ltd. tract, a distance of 29.04 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-10", set, for an angle point on the north line of herein described tract;

Thence: North 74°13'49" East, a distance of 70.37 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-11", set, for an angle point on the north line of herein described tract;

Thence: South $87^{\circ}45'36''$ East, a distance of 55.13 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-12", set, for an angle point on the north line of herein described tract;

Thence: South $83^{\circ}56'32''$ East, a distance of 546.62 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-13", set, for an angle point on the north line of herein described tract;

Thence: South $75^{\circ}40'01''$ East, a distance of 557.77 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-14", set, for an angle point on the north line of herein described tract;

Thence: North $86^{\circ}04'29''$ East, a distance of 12.33 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-15", set, for an angle point on the north line of herein described tract;

Thence: North $19^{\circ}25'06''$ East, a distance of 35.69 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-16", set, for an angle point on the north line of herein described tract;

Thence: South $80^{\circ}20'42''$ East, a distance of 52.49 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-17", set, for an angle point on the north line of herein described tract;

Thence: South $22^{\circ}43'48''$ West, a distance of 35.11 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-18", set, for an angle point on the north line of herein described tract;

Thence: South $64^{\circ}23'54''$ East, a distance of 35.15 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-19", set, for an angle point on the north line of herein described tract;

Thence: North $36^{\circ}00'35''$ East, a distance of 58.90 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-20", set, for an angle point on the north line of herein described tract;

Thence: South $75^{\circ}14'49''$ East, a distance of 39.71 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-21", set, for an angle point on the north line of herein described tract;

Thence: South $01^{\circ}47'53''$ West, a distance of 59.48 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-22", set, for an angle point on the north line of herein described tract;

Thence: South $76^{\circ}28'41''$ East, a distance of 299.55 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-23”, set, for an angle point on the north line of herein described tract;

Thence: South $70^{\circ}05'56''$ East, a distance of 124.02 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-24”, set, for an angle point on the north line of herein described tract;

Thence: South $58^{\circ}42'27''$ East, a distance of 928.34 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-25”, set, for an angle point on the north line of herein described tract;

Thence: North $56^{\circ}33'35''$ East, a distance of 14.54 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-26”, set, for an angle point on the north line of herein described tract;

Thence: North $11^{\circ}23'31''$ West, a distance of 35.28 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-27”, set, for an angle point on the north line of herein described tract;

Thence: North $78^{\circ}36'29''$ East, a distance of 37.57 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-28”, set, for an angle point on the north line of herein described tract;

Thence: South $11^{\circ}18'02''$ East, a distance of 40.89 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-29”, set, for an angle point on the north line of herein described tract;

Thence: North $81^{\circ}54'03''$ East, a distance of 18.21 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-30”, set, for an angle point on the north line of herein described tract;

Thence: North $59^{\circ}17'18''$ East, a distance of 35.22 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-31”, set, for an angle point on the north line of herein described tract;

Thence: North $84^{\circ}39'34''$ East, a distance of 587.44 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-32”, set, for an angle point on the north line of herein described tract;

Thence: North $87^{\circ}40'14''$ East, a distance of 96.86 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-33”, set, for an angle point on the north line of herein described tract;

Thence: North 80°04'48" East, a distance of 118.86 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-34", set, for an angle point on the north line of herein described tract;

Thence: North 84°27'23" East, a distance of 632.45 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-35", set, for an angle point on the north line of herein described tract;

Thence: North 34°50'04" East, a distance of 7.77 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-36", set, for an angle point on the north line of herein described tract;

Thence: North 08°36'50" West, a distance of 11.90 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-37", set, for an angle point on the north line of herein described tract;

Thence: North 82°45'16" East, a distance of 21.11 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-38", set, for an angle point on the north line of herein described tract;

Thence: South 12°11'04" East, a distance of 17.51 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-39", set, for an angle point on the north line of herein described tract;

Thence: South 75°14'41" East, a distance of 9.85 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-40", set, for an angle point on the north line of herein described tract;

Thence: North 84°16'03" East, a distance of 2,676.27 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-41", set, for an angle point on the north line of herein described tract;

Thence: North 49°38'11" East, a distance of 16.32 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-42", set, for an angle point on the north line of herein described tract;

Thence: North 20°31'51" East, a distance of 43.10 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-43", set, for an angle point on the north line of herein described tract;

Thence: North 85°55'08" East, a distance of 54.80 feet to a 5/8-inch iron rod with aluminum cap stamped "RGV-WSL-4002-44", set, for an angle point on the north line of herein described tract;

Thence: South $00^{\circ}12'02''$ West, a distance of 43.36 feet to a 5/8-inch iron rod with aluminum cap stamped “RGV-WSL-4002-45”, set, for an angle point on the north line of herein described tract;

Thence: North $84^{\circ}43'26''$ East, a distance of 541.64 feet to the **Point of Beginning** and containing 44.697 acre or 1,947,015 square feet of land.

SCHEDULE D

SCHEDULE D**MAP or PLAT**

NOTES:

1. BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NAD83 (2011), SOUTH ZONE (4205) AND BASED ON CONTROL POINT NUMBER 112, HAVING COORDINATES OF N=16,554,097.208 & E=1,106,071.686, CONTROL POINT NUMBER 113, HAVING COORDINATES OF N=16,551,420.147 & E=1,113,893.195 AND CONTROL POINT NUMBER 114, HAVING COORDINATES OF N=16,551,984.317, E=1,119,470.921 AS ESTABLISHED BY B&F ENGINEERING, INC. ALL COORDINATES AND DISTANCES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID VALUES BY MULTIPLYING BY THE PROJECT SCALE FACTOR (PSF) OF 1.000000000 (SURFACE X PSF = GRID).

2. THE UNIT OF MEASURE IS THE U.S. SURVEY FOOT.

3. THIS PLAT IS ACCOMPANIED BY SEPARATE METES AND BOUNDS DESCRIPTION.

4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

5. RESEARCH WAS PERFORMED OCTOBER TO DECEMBER 2018.

6. FIELD SURVEYS WERE PERFORMED OCTOBER 2018 TO FEBRUARY, 2019.

7. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON DECEMBER 03, 2018 (LONE STAR 811 TICKET NO. 583247704, TEXAS811 LOCATE REQUEST TICKET NO. 1883717293).

8. CORNERS NOT SET AT TIME OF SURVEY, TO BE SET UPON POSSESSION OF PROPERTY BY THE GOVERNMENT.

9. EXISTING ACREAGE CALCULATED SOUTH OF U.S. 281 ONLY.

COORDINATE TABLE		
POINT	NORTHING	EASTING
RGV-WSL-4002-1	16,551,954.97	1,118,684.22
RGV-WSL-4002-2	16,551,691.55	1,118,643.99
RGV-WSL-4002-3	16,551,202.01	1,113,710.07
RGV-WSL-4002-4	16,551,300.04	1,113,664.66
RGV-WSL-4002-5	16,551,692.85	1,113,004.52
RGV-WSL-4002-6	16,551,998.69	1,111,816.40
RGV-WSL-4002-7	16,552,035.47	1,111,317.30
WSL-4000-32-4002-8	16,551,914.11	1,111,189.44
WSL-4000-31-4002-9	16,552,295.93	1,111,247.58
RGV-WSL-4002-10	16,552,271.56	1,111,263.39
RGV-WSL-4002-11	16,552,290.69	1,111,331.11
RGV-WSL-4002-12	16,552,288.53	1,111,386.20
RGV-WSL-4002-13	16,552,230.85	1,111,929.76
RGV-WSL-4002-14	16,552,092.77	1,112,470.17
RGV-WSL-4002-15	16,552,093.61	1,112,482.47

SEE SHEET 11
FOR MORE TABLE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE, FEBRUARY, 2019.

Adam N. Diehl
ADAM N. DIEHL
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6346

LANDTECH
Engineering • Surveying

2525 North Loop West, Suite 300, Houston, Texas 77008
T: 713-861-7068, F: 713-861-4131
TBPE Registration No. F-1364; TBPLS Registration No. 10019100

FRANK SCHUSTER FARMS, INC.

TRACT NO. RGV-WSL-4000

HIDALGO COUNTY

TEXAS

LANDTECH 1820182 FILE NAME:

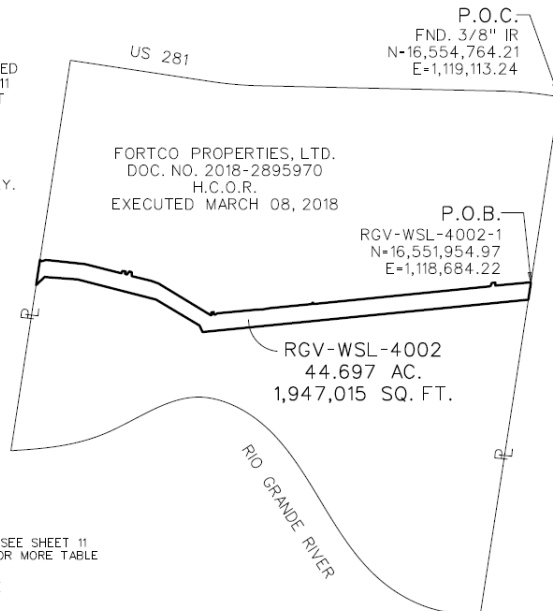
DATE:

AGOSTADERO DEL
GATO GRANT
HIDALGO COUNTY, TEXAS



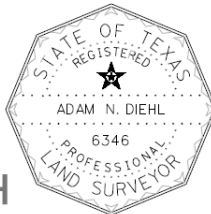
SCALE:
NOT TO SCALE

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	EXISTING USA EASEMENT	REMAINING
1,036.65 (SEE NOTE 9)	44.697 1,947,015	38.51 AC.	991.953



LEGEND

- - SET 5/8" IR W/ALUMINUM CAP STAMPED (AS NOTED)
- - FOUND PROPERTY CORNER (AS NOTED)
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- P.O.C. - POINT OF COMMENCING
- P.O.B. - POINT OF BEGINNING
- P— - PROPERTY LINE
- P— - PROPOSED ACQUISITION
- E— - EASEMENT



02/22/2019

Drawing Ref. No.
SHEET 8 OF 21

Mark	Description	Date	Appr.

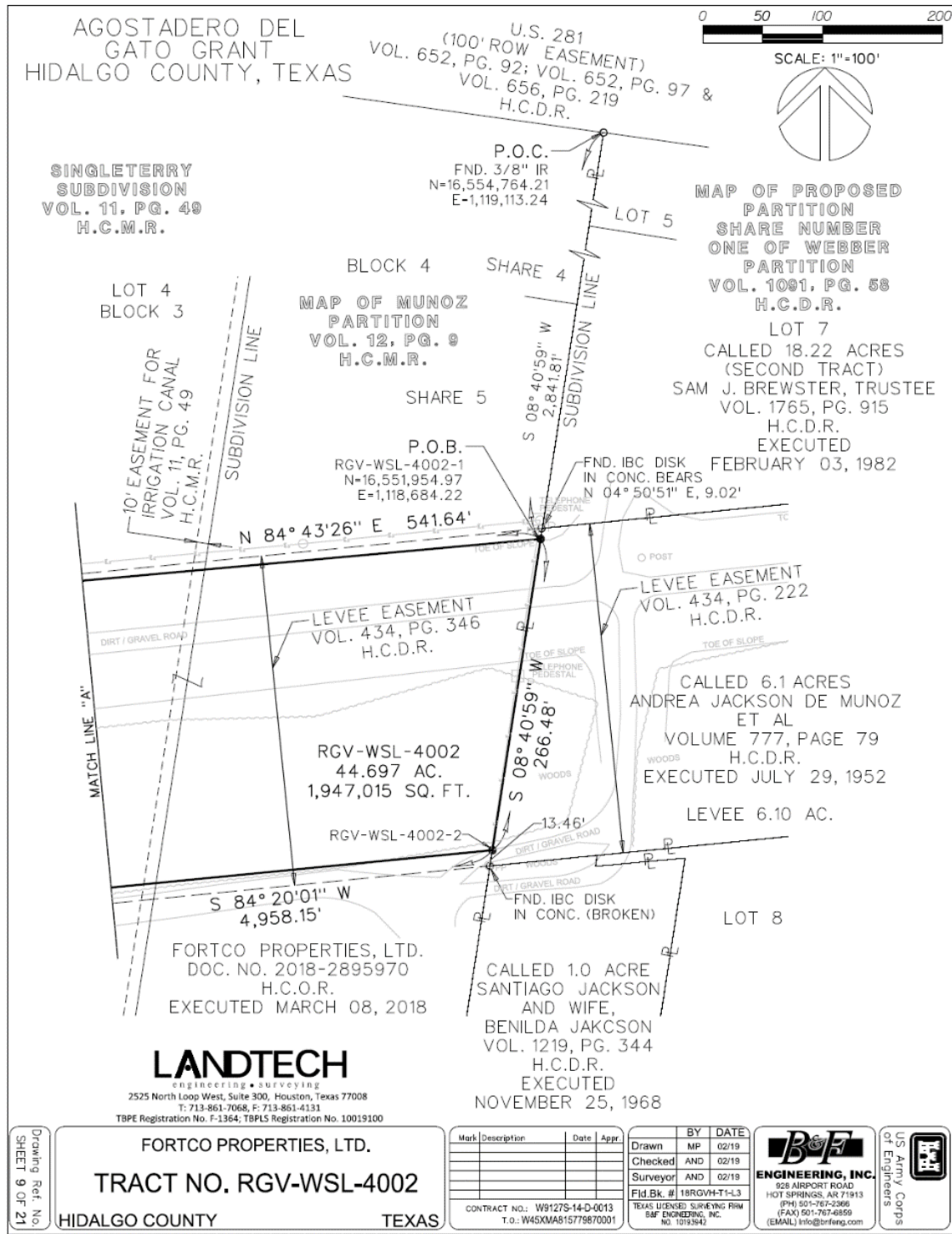
CONTRACT NO.: W9127S-14-D-0013
T.O.: W45XMA815779870001

BY	DATE
Drawn	MP 02/19
Checked	AND 02/19
Surveyor	AND 02/19
Fid.Bk. #	18RGVH-T1-L3

B&F ENGINEERING, INC.
628 AIRPORT ROAD
HOT SPRINGS, AR 71913
(PH) 501-767-2366
(FAX) 501-767-6559
(EMAIL) info@briengineering.com

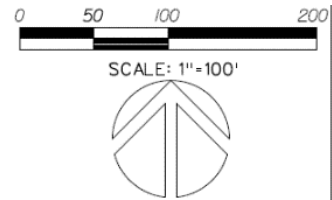


LAND TO BE CONDEMNED

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

SCHEDULE D (Cont'd)

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 49°38'11" E	16.32'
L2	N 20°31'51" E	43.10'
L3	N 85°55'08" E	54.80'
L4	S 00°12'02" W	43.36'

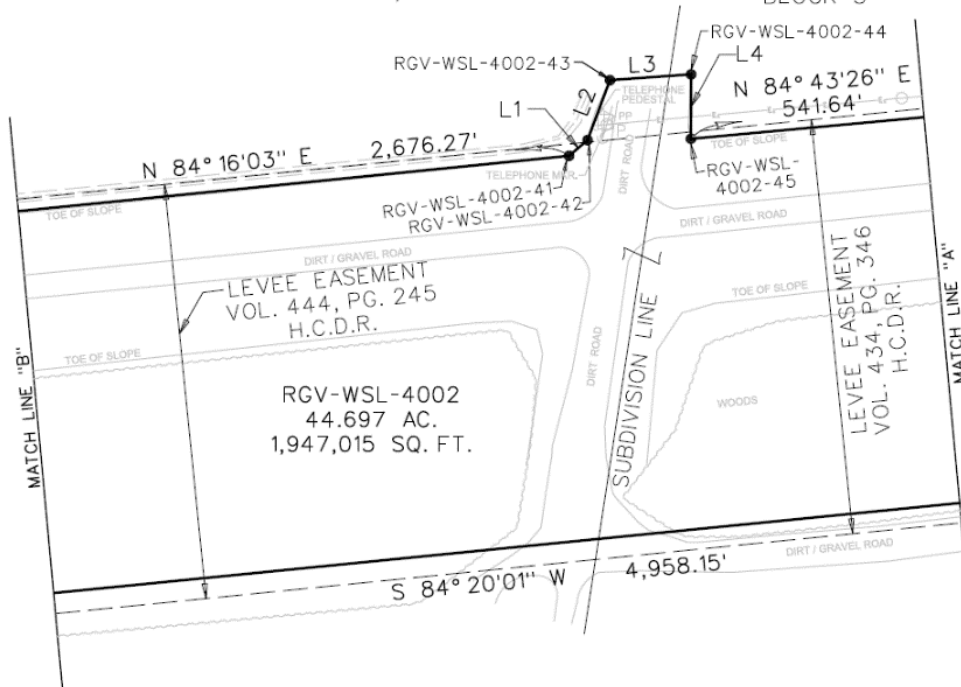


AGOSTADERO DEL GATO GRANT
HIDALGO COUNTY, TEXAS

FORTCO PROPERTIES, LTD.
DOC. NO. 2018-2895970
H.C.O.R.
EXECUTED MARCH 08, 2018

SINGLETERRY
SUBDIVISION
VOL. 11, PG. 49
H.C.M.R.

LOT 4
BLOCK 3



LANDTECH
engineering • surveying

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TBPE Registration No. F-1364; TBPLS Registration No. 10019100

Drawing Ref. No.
SHEET 10 OF 21

FORTCO PROPERTIES, LTD.
TRACT NO. RGV-WSL-4002
HIDALGO COUNTY TEXAS

Mark	Description	Date	Appr.

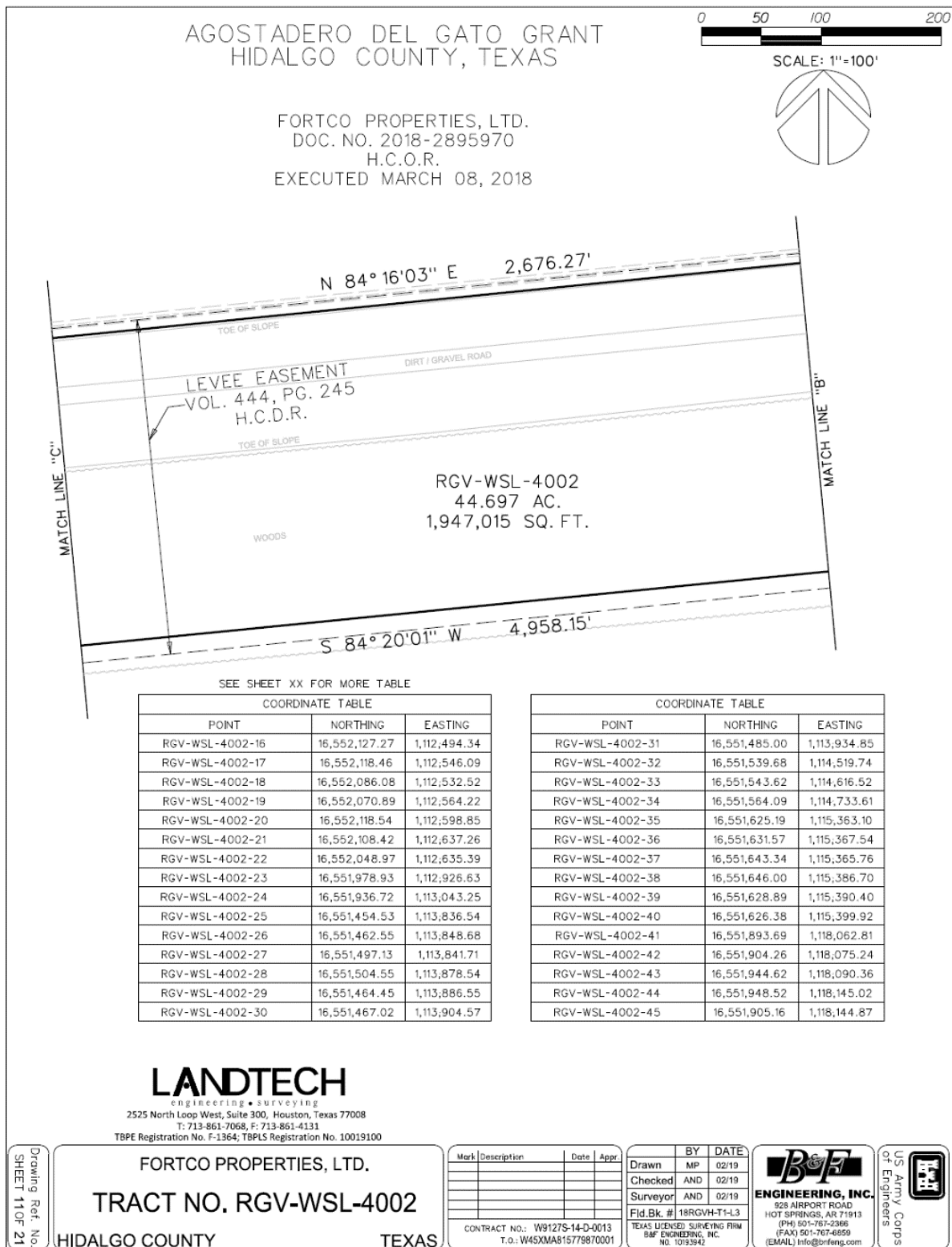
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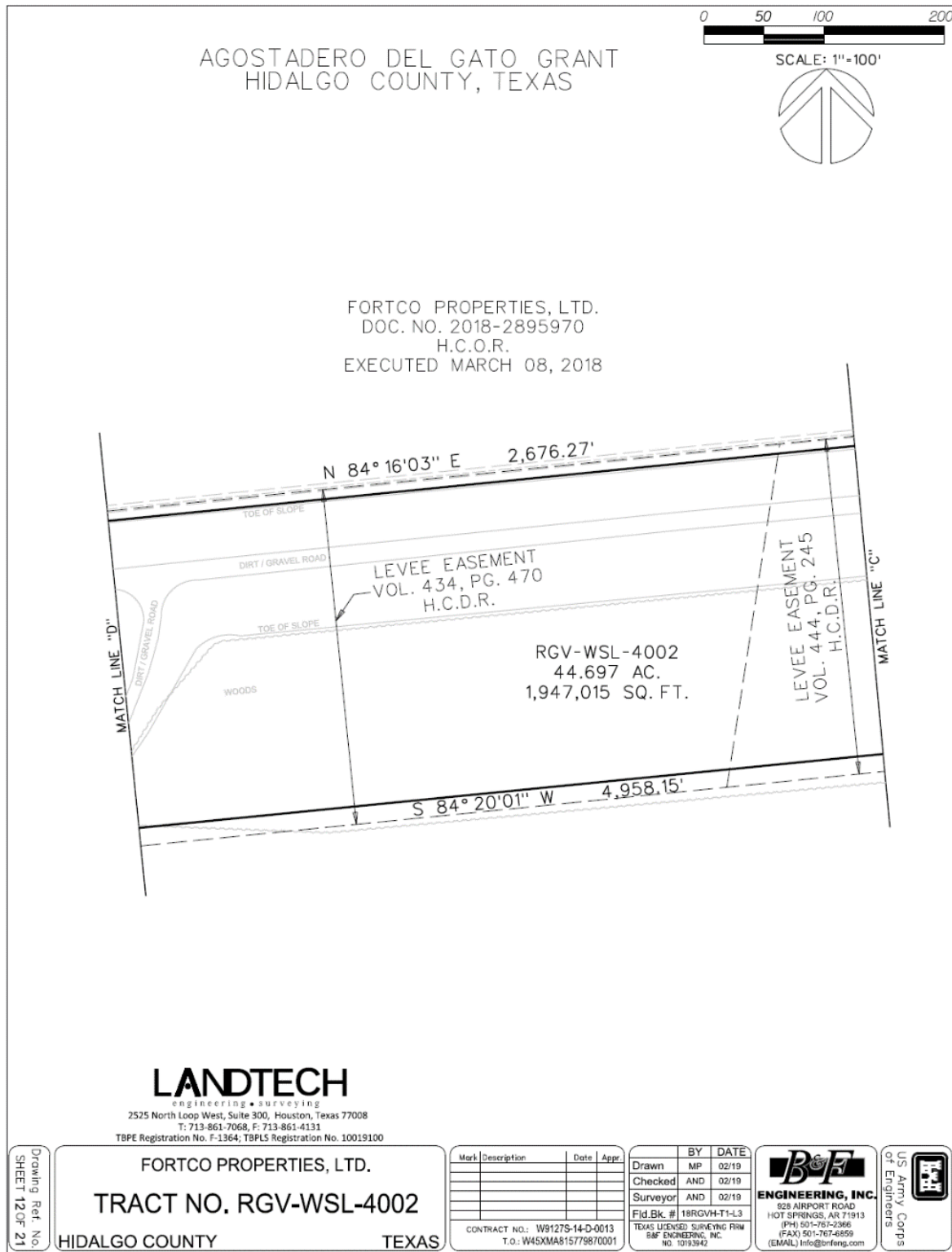
BY	DATE
Drawn	MP 02/19
Checked	AND 02/19
Surveyor	AND 02/19
Fid.Bk. #	18RGVH-T1-L3
TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10193942	

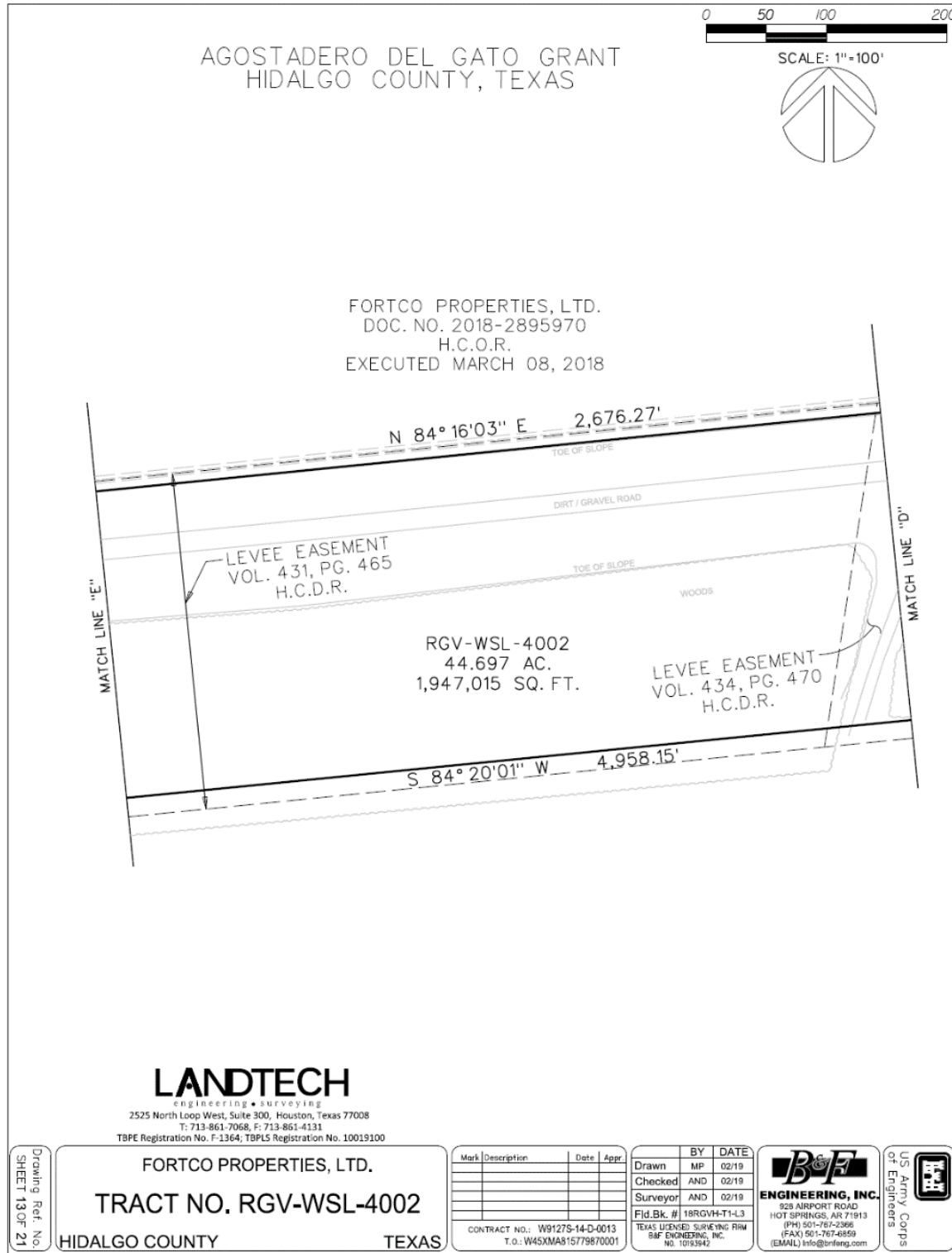
B&F ENGINEERING, INC.
928 AIRPORT ROAD
HOT SPRINGS, AR 71913
(PH) 501-767-2366
(FAX) 501-767-6859
(EMAIL) info@brieng.com

U.S. Army Corps
of Engineers

LAND TO BE CONDEMNED

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

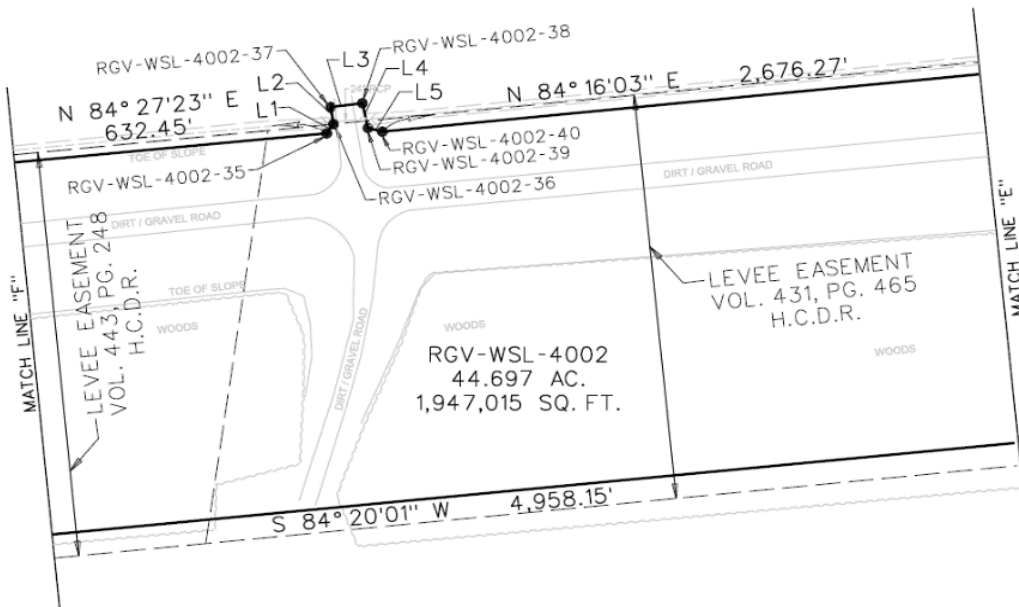
SCHEDULE D (Cont'd)

AGOSTADERO DEL GATO GRANT
HIDALGO COUNTY, TEXAS

FORTCO PROPERTIES, LTD.
DOC. NO. 2018-2895970
H.C.O.R.
EXECUTED MARCH 08, 2018

0 50 100 200

SCALE: 1"=100'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 34° 50' 04" E	7.77'
L2	N 08° 36' 50" W	11.90'
L3	N 82° 45' 16" E	21.11'
L4	S 12° 11' 04" E	17.51'
L5	S 75° 14' 41" E	9.85'

LANDTECH

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TBPE Registration No. F-1364; TBPLS Registration No. 10019100

FORTCO PROPERTIES, LTD.

TRACT NO. RGV-WSL-4002

HIDALGO COUNTY

TEXAS

Mark	Description	Date	Appr.

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T.O.: W45XMA815779870001

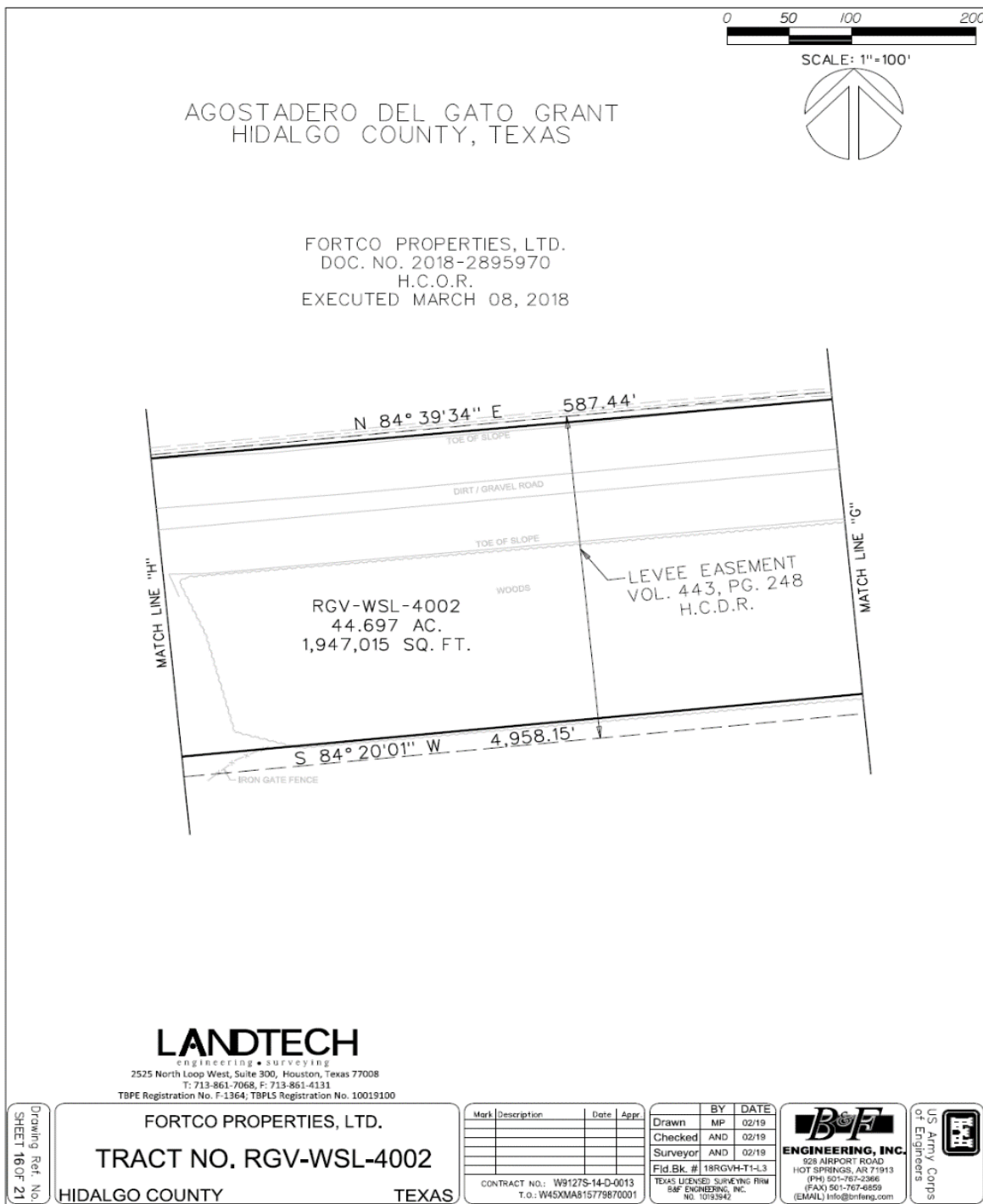
BY	DATE
Drawn	MP 02/19
Checked	AND 02/19
Surveyor	AND 02/19
Fid. Bk. #	18RGVH-TT-L3
TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10193942	

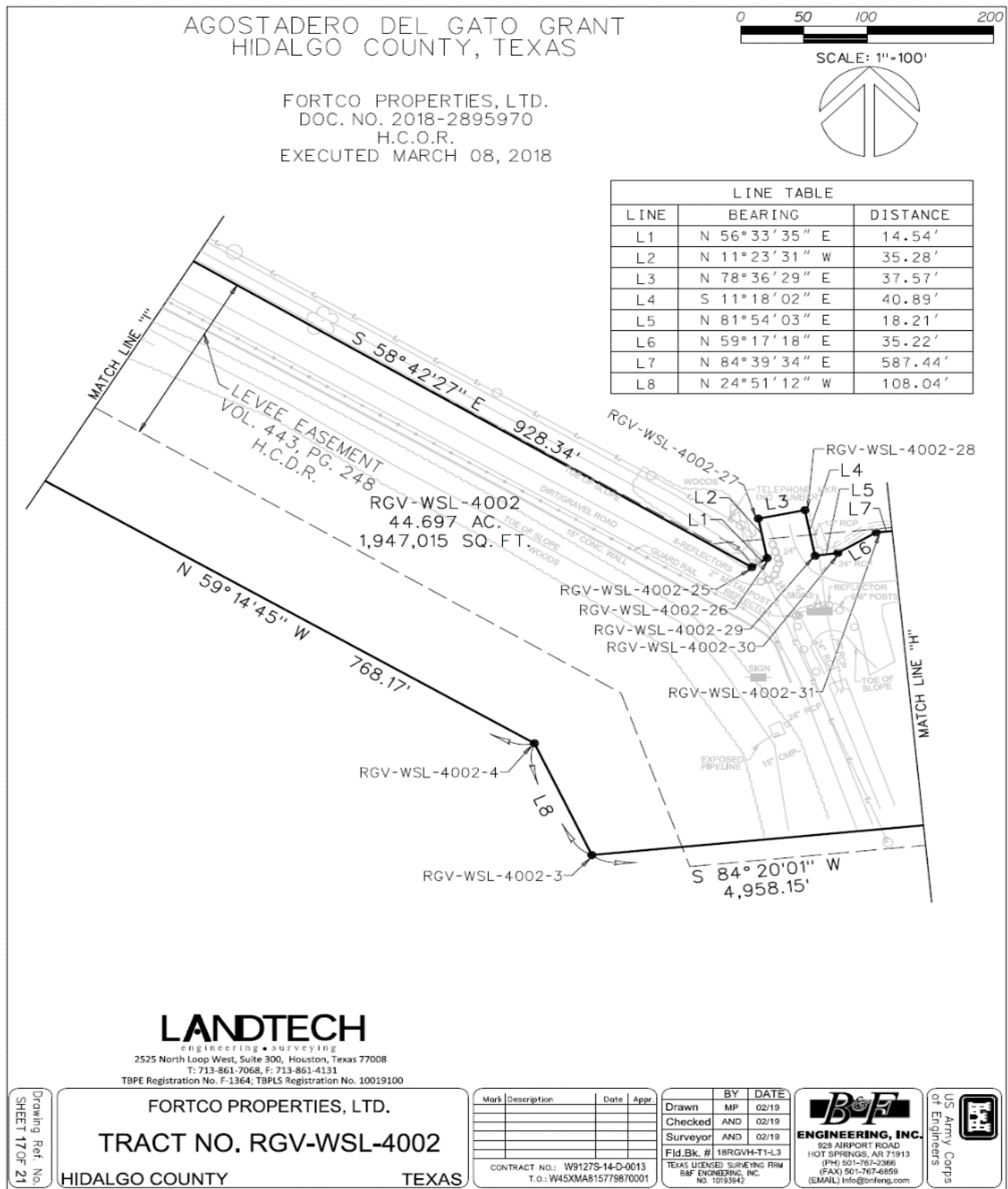
B&F ENGINEERING, INC.
528 AIRPORT ROAD HOT SPRINGS, AR 71913 (PH) 501-767-2366 (FAX) 501-767-6859 (EMAIL) info@brefeng.com

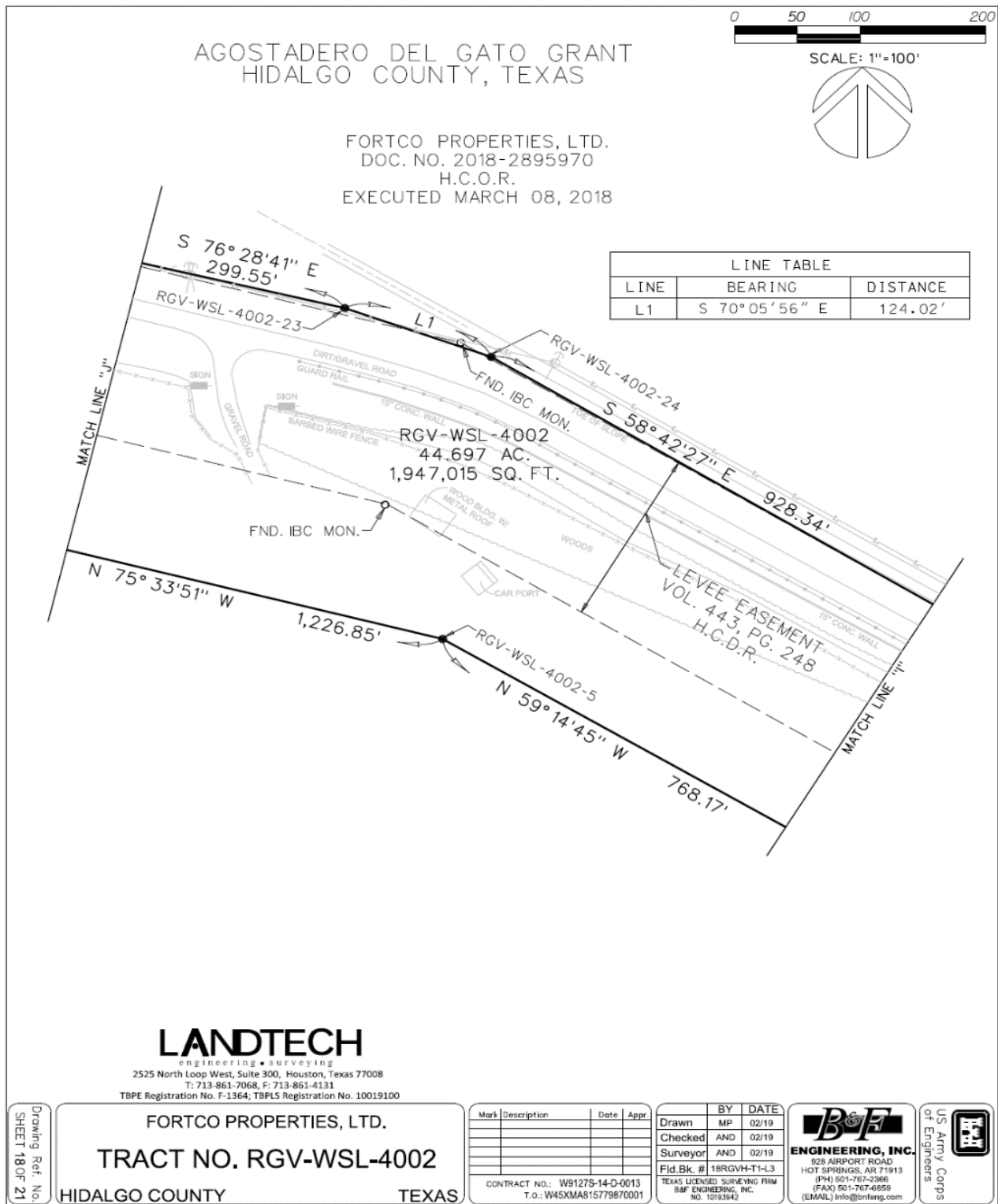


Drawing Ref. No.
SHEET 14 OF 21

LAND TO BE CONDEMNED

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

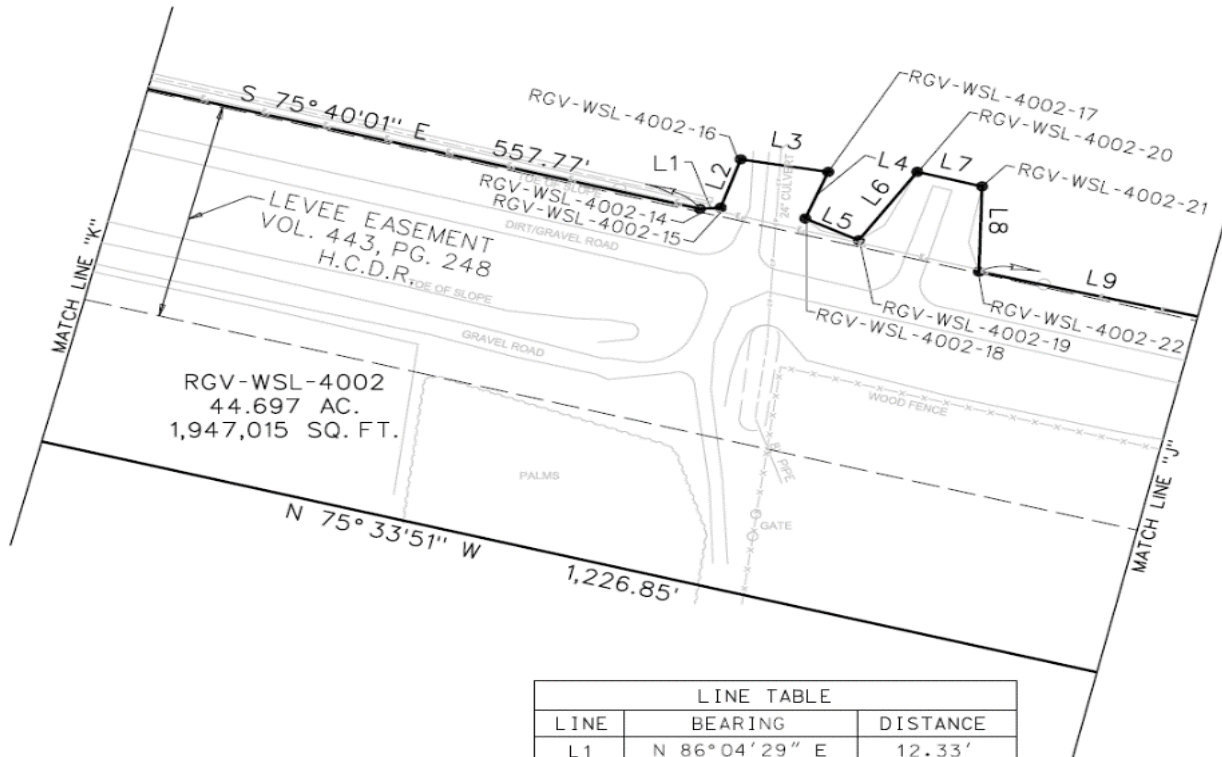
SCHEDULE D (Cont'd)

AGOSTADERO DEL GATO GRANT
HIDALGO COUNTY, TEXAS

FORTCO PROPERTIES, LTD.
DOC. NO. 2018-2895970
H.C.O.R.
EXECUTED MARCH 08, 2018

0 50 100 200

SCALE: 1"=100'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 86° 04' 29" E	12.33'
L2	N 19° 25' 06" E	35.69'
L3	S 80° 20' 42" E	52.49'
L4	S 22° 43' 48" W	35.11'
L5	S 64° 23' 54" E	35.15'
L6	N 36° 00' 35" E	58.90'
L7	S 75° 14' 49" E	39.71'
L8	S 01° 47' 53" W	59.48'
L9	S 76° 28' 41" E	299.55'

LANDTECH

engineering • surveying
2525 North Loop West, Suite 300, Houston, Texas 77008
T: 713-861-7068, F: 713-861-4131
TBPE Registration No. F-1364; TBPLS Registration No. 10019100

Drawing Ref. No.
SHEET 19 OF 21

FORTCO PROPERTIES, LTD.
TRACT NO. RGV-WSL-4002
HIDALGO COUNTY TEXAS

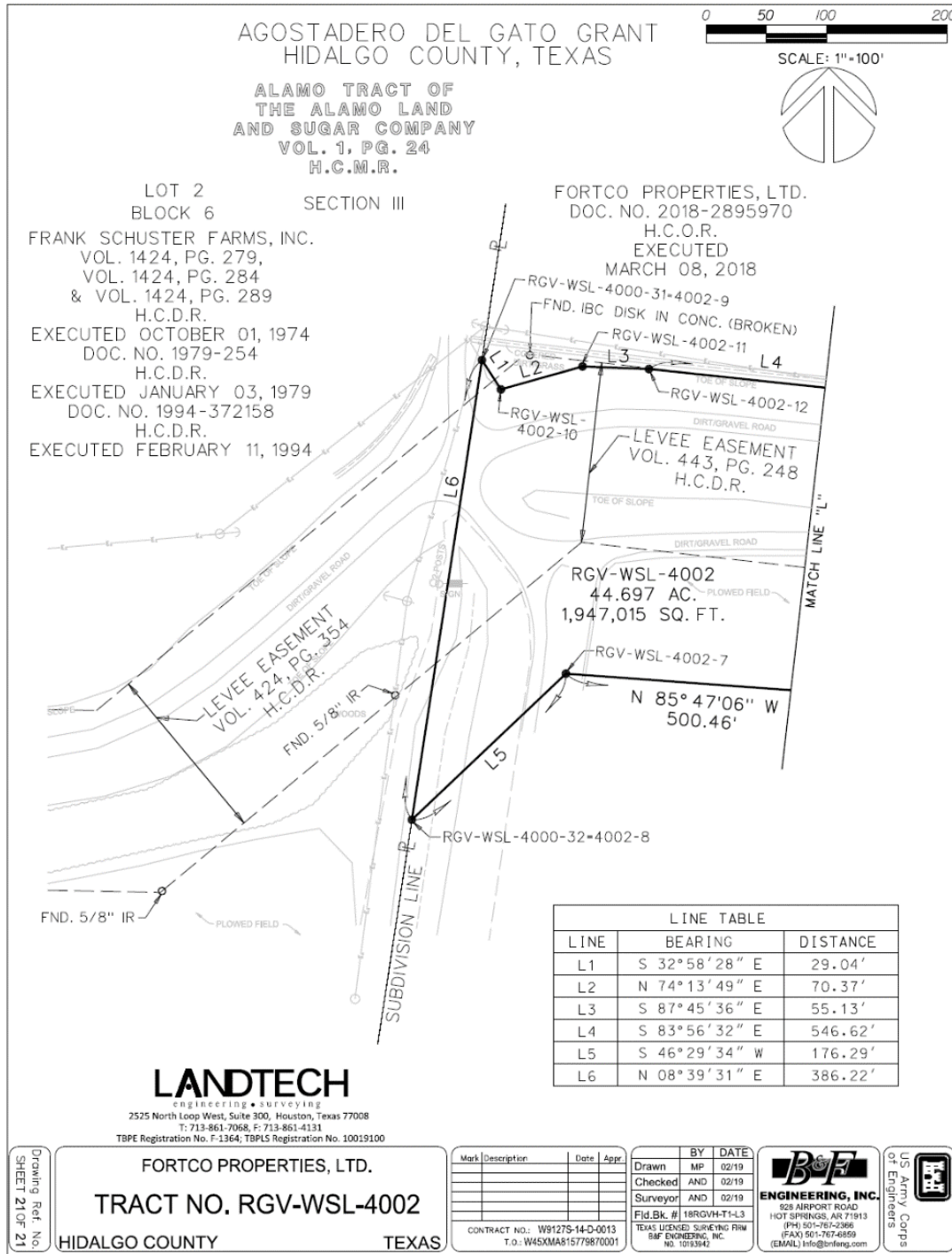
Mark	Description	Date	Appr.
CONTRACT NO.: W91275-14-D-0013 T.O.: W45XMA815779870001			

BY	DATE
Drawn	MP 02/19
Checked	AND 02/19
Surveyor	AND 02/19
Fid.Bk. #	18RGVH-T1-L3
TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10193942	

B&F ENGINEERING, INC.
928 AIRPORT ROAD
HOT SPRINGS, AR 71913
(PH) 501-767-2366
(FAX) 501-767-6859
(EMAIL) info@bmfeng.com

US Army Corps
of Engineers

LAND TO BE CONDEMNED

SCHEDULE D (Cont'd)**LAND TO BE CONDEMNED**

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Hidalgo County, Texas

Tract: RGV-WSL-4002

Owner: Fortco Properties, Ltd. *et al.*

Acres: 44.697

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in General Warranty Deed, Document No. 2018-2895970, Official Records, Hidalgo County, Texas; and the owners of a "Roadway" described in Exhibit A of Access Easement Agreement, Document No. 2008-1938311 and No. 2008-1936327, Official Records, Hidalgo County, Texas reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

SCHEDULE E-1



SCHEDULE F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is FOUR HUNDRED THIRTY-EIGHT THOUSAND, SIX HUNDRED AND SEVENTY THREE DOLLARS AND NO/100 (\$438,673.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Fortco Properties, Ltd. Marcus Forthuber, Registered Agent 409 East Military Highway San Juan, TX 78589	General Warranty Deed, Document #2018-2895970; Recorded March 12, 2018, Deed Records of Hidalgo County Access Easement Agreement, Document Number 2008-1938311 dated October 17, 2008, Deed of Records Hidalgo County
Kitayama Family Trust [REDACTED] Donna, TX 78537	Access Easement Agreement, Document Number 2008-1938311 dated October 17, 2008, Deed of Records Hidalgo County
FOR SUBORDINATION ONLY: Hidalgo County 100 North Closner Boulevard Edinburg, TX 78539	Easement Deed, Volume 386, Page 551, Recorded May 11, 1934, Deed of Records Hidalgo County Easement Deed, Volume 330, Page 619, Recorded March 3, 1934, Deed of Records Hidalgo County
Hidalgo County Tax Assessor & Collector Pablo "Paul" Villareal, Jr. 2804 S. Business Hwy. 281 Edinburg, TX 78539	Property Taxes

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Hilda M. Garcia Concepción, United States Attorney's Office, SDTX,
1701 West Bus. Hwy. 83, Ste. 600, McAllen, TX 78501

DEFENDANTS

44.697 Acres of Land, More or Less, Situate in Hidalgo County, State of Texas; and Fortco Properties, LTD,

County of Residence of First Listed Defendant San Juan

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Roy Brandys & Nicholas P. Laurent. Barron, Adler, Clough & Oddo, LLP. 808 Nueces Street, Austin, TX 78701

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for temporary easement (right of entry) to survey and conduct testing.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

02/04/2020

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE